

Serial No.: 09/588,443
Attorney Docket No.: E-848

Patent

REMARKS

1. Status of Claims

Claims 1-15 were pending in the Application. Applicant respectfully requests consideration of the enclosed remarks. Accordingly, claims 1-15 will remain pending in the application.

2. Rejections under 35 USC section 102

In section 4 of the Office Action, the Examiner rejected Claims 1, 6 and 11 under 35 U.S.C. 102(e), as allegedly anticipated by U.S. Patent No. 6,463,462 to Smith, et al. ("Smith '462").

Applicant respectfully traverses the rejection.

The cited reference does not teach or fairly suggest "using the selected relevant transaction data to generate a recipient profile of messages intended for the defined recipient that have been processed by the plurality of messaging systems."

The cited reference describes a communication type category based profile that is input by the user and does not suggest using selected relevant transaction data to generate a recipient profile. Accordingly, Applicant respectfully submits that claims 1, 6 and 11 are patentable over the cited reference and respectfully requests that the Examiner withdraw the rejection.

3. Rejections under 35 USC § 103(a)

In section 5 of the Office Action, the Examiner rejected Claims 2-3, 7-8 and 12-13 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent No. 6,463,462 to Smith, et al. ("Smith '462") in view of U.S. Patent No. 6,026,397 to Shepherd, et al. ("Shepherd '397").

Applicant respectfully traverses the rejection.

Initially, Applicant respectfully submits that the claims are patentable over the cited references for at least the same reasons described above with reference to claim 1.

Serial No.: 09/588,443
Attorney Docket No.: E-848

Patent

Regarding claims 2, 7 and 12, the cited references do not fairly teach or suggest "the recipient profile includes segmentation information developed from the selected transaction data that organizes the messages intended for the defined recipient into categories." The references do not describe in any way organizing messages into categories.

Regarding claims 3, 8 and 13, Applicant is not sure of the context of the term "recipient" in the statement of official notice and therefore Applicant disagrees with the entire statement of Official notice. Furthermore, Applicant does not agree that such matter would be properly combined.

Accordingly, Applicant respectfully submits that claims 2-3, 7-8 and 12-13 are patentable over the cited references and respectfully requests that the Examiner withdraw the rejection.

4. Allowable Subject Matter

Applicant appreciates the indication in section 6 of the Office Action stating that claims 4-5, 9-10 and 14-15 are allowable subject matter and reserves the right to submit claims having that scope if the Examiner disagrees with the comments herein.

5. Conclusion Of Remarks

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

6. Authorization

Please charge the required fee as specified in the Amendment Transmittal letter enclosed herewith. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any

Serial No.: 09/588,443
Attorney Docket No.: E-848

Patent

overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. E-848.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. E-848.

Respectfully submitted,



George M. Macdonald
Reg. No. 39,284
Attorney for Applicant
Telephone (203) 924-3180

PITNEY BOWES INC.
Intellectual Property and Technology Law Department
35 Waterview Drive, P.O. Box 3000
Shelton, CT 06484-8000